

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Applicant:	§	
	§	
Yossi Bar-Erez	§	
	§	
Serial No.: 09/581,990	§	
	§	
Filed: Jun 21, 2000	§	Group Art Unit: 1734
	§	
For: Method And Apparatus For Making	§	Attorney
Three-Dimensional Objects	§	
	§	Docket: 1529/7
Examiner: Mark A Osele	§	
	§	

Commissioner of Patents and Trademarks  
Alexandria, Virginia 22313-1450

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

Sir:

This is in response to the United States Patent and Trademark Office Notice of Abandonment mailed November 27, 2006 (copy enclosed), in which it was stated that, "...The decision of the Board of Patent Appeals and Interference rendered on 16 November 2006 and because the period for seeking court review of the decision has expired and there are no allowed claims..."

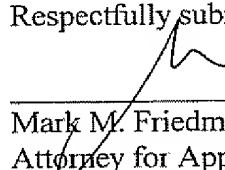
Applicant never received such Decision. Regardless, the Applicant should have been given the opportunity to respond thereto within the two months, i.e., by Jan 16, 2007.

The Notice of Abandonment was mailed a mere 11 days after the alleged mailing date of the Decision.

Applicant was not given the time to respond to the Decision.

In view of the above, the holding of Abandonment should be withdrawn, and the Applicant should be allowed time to respond to the Decision (a Continuation was filed today – 11/623,342). It is believed that this petition does not require a fee, but if one is required, authorization to charge Deposit Account 06-2140 is hereby granted.

Respectfully submitted,

  
\_\_\_\_\_  
Mark M. Friedman  
Attorney for Applicant  
Registration No. 33,883

Date: January 16, 2007

**Notice of Abandonment**

Application No.

09/581,990

Examiner

Mark A. Osele

Applicant(s)

BAR-EREZ, YOSI


Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

- 1 ☐ Applicant's failure to timely file a proper reply to the Office letter mailed on \_\_\_\_\_.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☐ A proposed reply was received on \_\_\_\_\_, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.  
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
- 2 ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.  
The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
- 3 ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
- 4 ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
- 5 ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
- 6 ☒ The decision by the Board of Patent Appeals and Interference rendered on 16 November 2006 and because the period for seeking court review of the decision has expired and there are no allowed claims.
- 7 ☐ The reason(s) below:

  
MARK A. OSELE  
PRIMARY EXAMINER

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.